

Jeffrey E. Ostrow (CSB No. 213118/jostrow@stblaw.com)
SIMPSON THACHER & BARTLETT LLP
3330 Hillview Avenue
Palo Alto, California 94304
Telephone: (650) 251-5000
Facsimile: (650) 251-5002

Henry B. Gutman (Admitted *pro hac vice*/hgutman@stblaw.com)
Kerry L. Konrad (Admitted *pro hac vice*/kkonrad@stblaw.com)
SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
New York, New York 10017
Telephone: (212) 455-2000
Facsimile: (212) 455-2502

Attorneys for Plaintiff/Counterdefendant
3COM CORPORATION

David M. Barkan (CSB No. 160825/barkan@fr.com)
FISH & RICHARDSON P.C.
500 Arguello St., Suite 500
Redwood City, CA 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

Joseph V. Colaianni (Admitted *pro hac vice*/colaianni@fr.com)
Ralph A. Phillips (Admitted *pro hac vice*/phillips@fr.com)
FISH & RICHARDSON P.C.
1425 K Street, N.W., Suite 1100
Washington D.C., 20005
Telephone: (202) 783-5070
Facsimile: (202) 783-2331

Attorneys for Defendant/Counterplaintiff
D-LINK SYSTEMS INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

3COM CORPORATION,

Plaintiff,

v.

D-LINK SYSTEMS INC.,

Defendant.

Case No. C 05-00098 VRW

**JOINT STIPULATION RE CASE
SCHEDULE AND [PROPOSED] ORDER
BASED ON FEBRUARY 6, 2007 CASE
MANAGEMENT CONFERENCE**

Judge: Vaughn R. Walker

The parties to the above-entitled action, Plaintiff/Counterdefendant 3Com Corporation (“3Com”) and Defendant/Counterplaintiff D-Link Systems Inc. (“D-Link”), jointly submit this Case Management Statement and Proposed Order setting forth the dates established by the Court during the February 6, 2007 Case Management Conference. The parties respectfully request the Court to adopt the proposed schedule as its Case Management Order.

DISCLOSURES AND DISCOVERY

1. For events following the Court’s Claim Construction decision, entered January 26, 2007, the parties jointly propose the following schedule:

- March 1, 2007 – 3Com Motion for Reconsideration and Opening Brief re ‘625 patent due
- March 15, 2007 – D-Link Opposition re 3Com Motion for Reconsideration re ‘625 patent due
- March 22, 2007 – 3Com’s Reply re 3Com Motion for Reconsideration re ‘625 patent due
- March 27, 2007 – Last day to serve Final Infringement Contentions if applicable under Patent L.R. 3-6
- April 2, 2007 – Parties to file proposals regarding timing of disclosure of any opinion relied upon as part of defense to willful infringement pursuant to Patent L.R. 3-8 in light of pending In re Seagate Petition Before Federal Circuit
- April 5, 2007 – Hearing on 3Com Motion for Reconsideration re ‘625 Patent
- April 16, 2007 – Last day to serve Final Invalidity Contentions if applicable under Patent L.R. 3-6
- June 25, 2007 – Expert reports on subjects for which the party bears the burden of proof due
- July 25, 2007 – Rebuttal expert reports due
- August 14, 2007 – Close of Fact discovery
- September 13, 2007 – Close of Expert discovery
- October 18, 2007 – Last day for parties to file dispositive motions
- November 29, 2007 – Hearing date for dispositive motions
- December 11, 2007 – Last day to meet and confer re Joint Pretrial Statement
- December 21, 2007 – Parties to file Joint Pretrial Statement
- January 8, 2008 – Pretrial Conference

- February 25, 2008 – Start of trial; scheduled for 5 trial days

TRIAL SCHEDULE

2. Trial in this action (Case No. C 05-00098 VRW) will last 5 court days.

Dated: February 27, 2007

FISH & RICHARDSON P.C.

By: \s\ David M. Barkan
David M. Barkan

Attorneys for Defendant
D-LINK SYSTEMS INC.

Dated: February 27, 2007

SIMPSON THACHER & BARTLETT LLP

By: \s\ Kerry L. Konrad
Kerry L. Konrad

Attorneys for Plaintiff
3COM CORPORATION

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Kerry L. Konrad.

Dated: February 27, 2007

FISH & RICHARDSON P.C.

By: \s\ David M. Barkan
David M. Barkan

Attorneys for Defendant
D-LINK SYSTEMS INC.

ORDER

IT IS SO ORDERED.

Dated: March 5, 2007

